



NON-CONFIDENTIAL
CITIZENS' POLICE REVIEW BOARD
Meeting of Thursday, July 27, 2017 - 6:15 P.M.
City Council Chamber, Third Floor
ONE FRANK H. OGAWA PLAZA, OAKLAND, CALIFORNIA
(510) 238-3159

	Attachments	
I. Call to Order		
II. Roll Call		
III. Minutes – July 13, 2017		1
IV. Open Forum	(10 minutes)	
V. Director's Report	(5 minutes)	2
A. Announcements		
B. Pending Cases as of July 21, 2017		
VI. CPRB Special Committee Report	(5 minutes)	
A. Transparency and Legislation		
1. General Updates		
2. Next Meeting		
VII. Action – CPRB 2017 Semi-Annual Report Draft	(15 minutes)	3
A. Presentation – Policy Analyst Juanito Rus		
B. Discussion		
C. Public Comment		
D. Action		
VIII. Action – Policy Analyst Report	(15 minutes)	4
A. Presentation – Policy Analyst Juanito Rus		
B. Discussion		
C. Public Comment		
D. Action		

IX. Closed Session: New Business

(30 minutes)

A. Cases Proposed for Administrative Closure / Pursuant to Ordinance No. 12454 C.M.S. section 6, paragraph G subsection 9, hearing would not facilitate the fact-finding process and that no good cause is shown for further action.

1. Based on the findings of the investigation

Case No. 15-0618 OPD OIS (Antonio Clements – Decedent)

- a. Complainant's Comment
- b. Staff Report
- c. Discussion
- d. Action

This investigation was initiated by the CPRB Executive Director upon notification of an officer involved shooting (OIS) from OPD IAD.

Rationale for administrative closure –The CPRB staff recommends administrative closure of this complaint with a finding of **In Compliance** as the investigation disclosed sufficient evidence to determine officers involved did the following:

1. **MOR 370.27-1 – Use of Physical Force.** The investigation revealed that the act or acts which provided the basis for the complaint occurred, however, the acts were justified, lawful and/or proper and not in violation under law and/or departmental policy.

2. **MOR 370.27-1j – Use of Physical Force.** The investigation revealed that the act or acts which provided the basis for the complaint occurred, however, the acts were justified, lawful and/or proper and not in violation under law and/or departmental policy.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

Case No. 16-0816, Denisha Johnson

- a. Complainant's Comment
- b. Staff Report
- c. Discussion
- d. Action

The complainant alleged that OPD Officers failed to prepare a police report to document the crime she reported; a Dispatcher Supervisor failed to accept her complaint; she was upset as she could not locate an officer to write a report when she went to the police

station; and it too long for an officer to respond to take the report. During the course of the investigation the CPRB investigator identified an additional allegation of failure to activate the PDRD.

Rationale for administrative closure – The CPRB Staff recommends administrative closure of this complaint with a finding of **Exonerated** allegation #1 as the investigation revealed that the act or acts which provided the basis for the complaint occurred; however, the acts were justified, lawful and proper and not violations under law and/or departmental policy.

The CPRB staff recommends administrative closure of this complaint with a finding of **Sustained** to allegation #2 as the investigation disclosed a preponderance of evidence to prove the allegation made in the complaint.

The CPRB staff recommends administrative closure of this complaint with a finding of **No Jurisdiction** to allegation #3 as the investigation disclosed sufficient evidence to determine that the allegation is made against an individual who is not a sworn member of the Oakland Police Department.

The CPRB staff recommends administrative closure of this complaint with a finding of **No finding** to allegation #4 as the alleged conduct does not rise to the level of an MOR violation, but is a Service Complaint.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

Case No. 16-0887, Gisel Cabanas

- a. Complainant's Comment
- b. Staff Report
- c. Discussion
- d. Action

The complainant alleged that OPD Officers regularly sleep in their patrol cars while on duty.

Rationale for administrative closure – The CPRB Staff recommends administrative closure of this complaint with a finding of **No finding** to the allegation as there was insufficient information provided by the Complainant to identify subject officers.

The CPRB staff recommends administrative closure of this complaint on the basis a hearing would not facilitate the fact-finding process and that no good cause has been shown for further action.

B. Pending Cases

- X. Open Session
Disclosure of non-confidential closed session matters (5 minutes)

- XI. Adjournment

NOTE: Meetings of the Citizens' Police Review Board are accessible. Individuals requesting alternate format materials and/or auxiliary aids and services must do so no later than five working days before the scheduled meeting date, otherwise it may not be possible to arrange a specific accommodation. Such requests should be addressed to the Citizens' Police Review Board, 250 Frank H. Ogawa Plaza, 6th Floor, Suite 6302, Oakland, CA 94612, or by telephone by calling (510) 238-3159 ; TTY/TDD (238-2007).

Because some persons are sensitive to certain chemicals, persons attending this meeting are requested to refrain from wearing scented products.

CPRB MISSION STATEMENT

The Citizens' Police Review Board strives to provide the community with a public forum to voice its concerns on policy matters and individual cases alleging police misconduct, through a mechanism of independent, impartial, fair, and transparent civilian oversight.